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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/552,335	10/07/2005	Sang-Yup Lee	2017-31	1872

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LOS ANGELES, CA 90010

EXAMINER
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DURHAM, NATHAN E

ART UNIT	PAPER NUMBER
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3765

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/20/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/552,335	<b>Applicant(s)</b> LEE, SANG-YUP	
	<b>Examiner</b> Nathan E. Durham	<b>Art Unit</b> 3765	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 15 January 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 3-5 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 3-5 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 October 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- ☒ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Amendment***

Applicant's amendment and corresponding arguments, filed 15 January 2007, have been reviewed and considered. Claims 3-5 have been added and claims 1-2 have been canceled. Therefore, claims 3-5 are currently pending. Applicant's arguments concerning cancelled claims 1-2 are moot in view of the new grounds of rejection. Applicant's arguments with respect to claims 3-5 corresponding to the prior art used in the first Office Action are also moot in view of the new grounds of rejection. Any argument deemed related to the new art rejections will be discussed in the art rejections below. This Office Action is considered a Final Rejection.

### ***Specification***

The disclosure is objected to because of the following informalities:

The disclosure is objected to because of numerous language and grammatical errors. For example, the applicant's first paragraph on page 3 of the specification is shown below:

"Comparing with other conventional plastic coat hanger, the size of the coat hanger shopping of the present invention is similar and the usage thereof is same. There is only difference between the coat hanger shopping of the present invention and the conventional plastic coat hanger that handholds are wider a little and there is an additional beam for a trouser hanger. The beam for the trouser hanger can make coat

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hanger be used for hanging a coat and trousers, simultaneously. Moreover, the coat and the trousers can be also packed into the coat hanger shopping bag of the present invention."

The language and grammatical errors of the paragraph above can be overcome by fixing the errors in such a way as the example shown below:

"Compared with other conventional plastic coat hangers, the size of the coat hanger shopping bag of the present invention is similar and the usage thereof is the same. The only difference between the coat hanger shopping bag of the present invention and the conventional plastic coat hanger is that the handholds are a little wider and there is an additional beam for hanging trousers. The beam for hanging trousers can allow the coat hanger to be used for hanging a coat and trousers, simultaneously. Moreover, the coat and trousers can also be packed into the coat hanger shopping bag of the present invention."

The Examiner suggests that the applicant assists in thoroughly reading and correcting any language and/or grammatical errors that are present in the applicant's disclosure.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 5 is rejected under 35 U.S.C. 102(b) as being anticipated by MCKINNEY (U.S. Patent 2,594,966).

MCKINNEY discloses a coat hanger (10) comprising an upper end portion (portion from which beams 35,36,37 and 38 extend) and a beam (36, 38) extending outwardly from both ends of the upper end portion (Fig. 2). MCKINNEY discloses the beam having a little shorter length than the whole length of the coat hanger, wherein the beam is configured for the lower garment to be hung through the belt rings (Figures 2 and 3).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over STRUBLE (U.S. Patent 3,758,019) in view of CARTER (U.S. Patent 1,758,932) and D'AIRO (U.S. Patent 2,620,101).

Regarding claims 3 and 4, STRUBLE discloses a coat hanger shopping bag (Fig. 6) comprising a coat hanger (H) wherein the hanger includes an upper end portion (hook neck) with a handhold (hook) formed on the upper end portion of the coat hanger (Fig. 6). STRUBLE discloses the coat hanger handhold comprising a coat hanger groove (hole created in the center of hook that defines the hook shape) (Fig. 6). It is well known in the art that a coat hanger can be carried at different positions of the coat hanger including at the hook (considered handhold) of the coat hanger. STRUBLE

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discloses a coated packing paper (10) comprising a plurality of dotted lines (12, 14, 32, 44, 23, 25, 12' and 14') and a fan-shaped hole (41), wherein the fan-shaped hole is configured for the handhold to be inserted through (Figures 1, 6 and 7). STRUBLE's hole seems to have the same structure as the hole as presented by the applicant (Applicant's figure 5) and therefore is considered "fan-shaped". STRUBLE discloses the coated packing paper being capable of providing the function to be folded along the dotted lines and thus packing the garment(s) hung on the coat hanger with the handheld being taken out of the coated packing paper (Figures 2-8). STRUBLE further discloses the fan-shaped hole being formed by at least one dotted line (referenced by hole 41) and a plurality of edges of the coated packing paper. As seen from figure 1, the fan-shaped hole 41 seems to be formed by two dotted lines separated by small rounded apertures. Structure 24 is considered the edge of sides 11, 13 and 26 when the packaging paper is folded. However, STRUBLE fails to disclose the coat hanger having a beam extending outwardly from both ends of the upper end portion wherein the beam is capable of functioning to hold a lower garment by its belt rings.

CARTER teaches a coat hanger having an upper end portion (11, 22) with a beam (12, 21) extending outwardly from both ends of the upper end portion wherein the beam is considered to have a length slightly less than the whole length of the hanger (Figure 3). CARTER teaches the beam in order to provide an additional handle for holding the garment hanger and in order to hold a protective covering for garments hung from the hanger (Disclosure). CARTER teaches a beam that is fully functionally capable of holding a lower body garment by its belt loops, but CARTER specifically fails

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to teach the beam being configured for a lower garment to be hung through the belt loops. D'AIRO teaches a garment hanger with a beam (10) extending outwardly from an upper end portion (11) wherein the beam comprises hooks (19) to hang a lower body garment by the belt loops (Fig. 1) in order to properly secure the lower body garment to the hanger, prevent wrinkles in the lower body garment, and keep contents located within the pockets of the lower garment from falling out (Column 1). Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to have provided the beam of CARTER with a configuration in the form of hooks, in light of the teachings of D'AIRO, in order to hang a lower body garment in combination with an upper body garment wherein the lower garment is properly secured to the hanger, wrinkles are prevented with respect to the lower body garment, and the contents located within the pockets of the lower garment are kept from falling out. CARTER also teaches the coat hanger comprising a handhold (15, 20) formed on the upper end portion wherein the handhold comprises a coat hanger groove (within hook 15, 20) (Figures 1 and 3). It is well known in the art that a coat hanger can be carried at different positions of the coat hanger including at the hook (considered handhold) of the coat hanger.

Accordingly, it would have been obvious to one with ordinary skill in the art at the time the invention was made to have provided the hanger of the coat hanger bag of STRUBLE with a an upper end portion wherein a beam extends outwardly from both ends, in light of the teachings of CARTER and D'AIRO, in order to provide an additional handle for transporting and positioning the hanger and a structure capable of holding a

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protective covering so the garment(s) can be protected from environmental conditions.

Also, it is obvious to one with ordinary skill in the art that different styles of garment hangers are interchangeable in combination with the shopping bag of STRUMBLE in order to provide a protective, transportive cover that can hold numerous styles and types of clothing that are hung on different types of hangers.

Claim 5 is also rejected under 35 U.S.C. 103(a) for the same reasons as discussed above.

### ***Conclusion***

The prior art made of record, as cited on attached PTO-892, and not relied upon is considered pertinent to applicant's disclosure.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of



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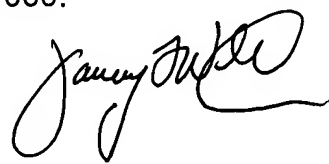
the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nathan E. Durham whose telephone number is (571) 272-8642. The examiner can normally be reached on Monday - Friday, 7:30 am - 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gary L. Welch can be reached on (571) 272-4996. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

NED



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